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13 **UNITED STATES DISTRICT COURT**  
14 **DISTRICT OF NEVADA**

16 BRIAN BORENSTEIN, an individual,  
17 Plaintiff,  
18 vs.  
19 THE ANIMAL FOUNDATION, et al.,  
20 Defendants.

Case No.: 2:19-cv-00985-CDS-NJK

**UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO REPLY TO  
DEFENDANTS' OPPOSITIONS TO  
PLAINTIFF'S RENEWED MOTION TO  
REOPEN AND EXTEND DEPOSITION  
OF COUNTY'S RULE 30(B)(6)  
WITNESS PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE  
30(D)(1)**

**(FIRST REQUEST)**

24 COMES NOW Plaintiff, Brian Borenstein, by and through his counsel, Raelene K.  
25 Palmer, Esq. of The Palmer Law Firm, P.C., and Robert S. Melcic, Esq., and hereby moves  
26 unopposed for an enlargement of time to reply to Defendants' *Oppositions* [ECFs 369 and 370,  
27 respectively] to Plaintiff's *Renewed Motion to Reopen and Extend Deposition of County's Rule*  
28 *30(b)(6) Witness Pursuant to Federal Rule of Civil Procedure 30(d)(1)*. This Motion is brought

1 with the following *Memorandum of Points and Authorities*, the papers and pleadings on file in  
2 this case, and any further briefing or oral argument this honorable Court may wish to entertain.  
3

4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I. INTRODUCTION**

6 Plaintiff is seeking a six-day extension, until **Monday, October 9, 2023**, to reply to  
7 Defendants' *Oppositions* to Plaintiff's *Renewed Motion to Reopen and Extend Deposition of*  
8 *County's Rule 30(b)(6) Witness Pursuant to Federal Rule of Civil Procedure 30(d)(1)*.  
9

10 **II. RELEVANT PROCEDURAL HISTORY**

11 On September 12, 2023, Plaintiff filed his *Motion to Take Deposition from Clark County*  
12 *Rule 30(b)(6)* as renewed following ECF 359, *Order on Motion to Take Deposition*. Defendant  
13 Clark County opposed on September 26, 2023 [ECF 369] and Defendant The Animal Foundation  
14 opposed later that same day [ECF 370]. Defendants' *Oppositions* set an original deadline for  
15 Plaintiff to reply by October 3, 2023. However, due to additional work in this and in other cases,  
16 Plaintiff has been forced to seek an extension.  
17

18 **III. LEGAL ANALYSIS**

19 Federal Rule of Civil Procedure 6(b)(1)(A) provides in pertinent part:

20 (b) EXTENDING TIME.

21 (1) *In General.* When an act may or must be done within a specified time the  
court may, for good cause, extend the time:

22 (A) with or without motion or notice if the court acts, or if a request is  
23 made, before the original time or its extension expires;

24 Fed. R. Civ. P. 6(b)(1)(A).

25 **A. Plaintiff Has Good Cause for an Extension of Time.**

26 Plaintiff needs additional time to reply and requests until **Monday, October 9, 2023**.

27 Plaintiff has been working on his opposition to the most recent *Motion to Dismiss* in this case.  
28

1 Also, Plaintiff attended an all-day deposition in this case on October 2, 2023. That and other case  
2 matters have led to a situation in which Plaintiff needs an enlargement of time to reply. During  
3 the deposition on October 2, all parties agreed to this extension. Thus, this motion is unopposed.  
4

5 **IV. CONCLUSION**

6 Based on the foregoing, Plaintiff respectfully requests the Court to grant him a six-day  
7 extension of time to reply to Defendants' *Oppositions* to Plaintiff's *Renewed Motion to Reopen*  
8 and *Extend Deposition of County's Rule 30(b)(6) Witness Pursuant to Federal Rule of Civil*  
9 *Procedure 30(d)(1)*.

10 Dated this 3rd day of October 2023.

11 THE LAW OFFICE OF ROBERT S. MELCIC

12 /s/ Robert S. Melcic  
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21 Attorney for Plaintiff Brian Borenstein

22 **ORDER**

23 IT IS SO ORDERED.

24 DATED: October 4, 2023.

25  
26  
27   
28 Nancy J. Koppe  
United States Magistrate Judge